

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:05-CR-00021-F-1
No. 7:16-CV-00071-F

WILBUR SCOTT, JR.,)
Petitioner,)
v.)
UNITED STATES OF AMERICA,)
Respondent.)

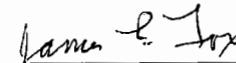
O R D E R

This matter is before the court on Wilbur Scott, Jr.'s Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 [DE-26, -29]. Having examined Scott's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 motion within **forty (40)** days of the filing of this order.

Scott asserts challenges based on *Johnson v. United States*, 135 S. Ct. 2551 (2015). Sherri R. Alspaugh with the Office of the Federal Public Defender has been appointed to represent Scott pursuant to Standing Order No. 15-SO-2 (E.D.N.C. Oct. 16, 2015).

SO ORDERED.

This 25 day of April, 2016.



JAMES C. FOX
SENIOR UNITED STATES DISTRICT JUDGE